

# Notice of Allowability

Application No.

09/744,771

Examiner

Chris Parry

Applicant(s)

PAZ ET AL.

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11 October 2007.
2. ☒ The allowed claim(s) is/are 42-54, 62-65, 72-77, 78, 79, 84-85, 89-94, 95-97, 98-101, 102, and 103 (respectfully renumbered as 8-20, 21-24, 25-30, 1, 31, 3-4, 32-37, 5-7, 38-41, 2, and 42).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
CHRISTOPHER GRANT  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James T. Strom on November 19, 2007.

The application has been amended as follows:

Claims 55-61, 66-71, 80-83, and 86-88 have been canceled.

Claim 102 has been amended as follows:

On line 1, of claim 102, "A Method as recited in claim 78," should be --A method as recited in claim 78--.

### ***Response to Arguments***

2. Applicant's arguments, see page 12, last paragraph of applicants remarks, filed 11 October 2007, with respect to claims 42-54, 62-65, 72-79, 84-85, and 89-103 have been fully considered and are persuasive. The rejection of claims 42-54, 62-65, 72-79, 84-85, and 89-103 have been withdrawn.

### ***Allowable Subject Matter***

3. Claims 42-54, 62-65, 72-79, 84-85, and 89-103 are allowed.

***Reasons for Allowance***

4. The following is an examiner's statement of reasons for allowance:

The art of record either alone or in combination fails to teach, disclose, or suggest the invention of claim 78 and in particular reducing the visual quality of the video stream includes using different compression parameters for different GUI display elements of a frame within the video stream, and such that standard GUI display elements of the frame, comprising one or more border and one or more menu, are compressed to a lower quality than unknown GUI display elements of the frame, in combination with other elements recited in the claim. The closest art of record, Zdepski (USPN 6,606,746) discloses a method for providing a graphical user interface in an interactive television system. Zdepski further teaches providing a broadcast video stream (Col. 4, lines 51-64) and transmitting the personalized broadcast stream to a user using a compressed video transport (Col. 5, lines 25-57). Zdepski discloses providing a compressed background picture and one or more insert pictures that represent a display portion of the graphical user interface. However, Zdepski fails to explicitly disclose reducing the visual quality of the video stream includes using different compression parameters for different GUI display elements of a frame within the video stream, and such that standard GUI display elements of the frame, comprising one or more border and one or more menu, are compressed to a lower quality than unknown GUI display elements of the frame.

In other related art, Hopper (USPN 5,422,674) discloses a method of personalizing a broadcast stream, comprising: providing a broadcast video stream (Col. 6 lines 42-57); personalizing the stream at a central distribution station in a manner that reduces a visual quality of said provided video stream, while adding personalized information (Col. 6 lines 1-14); and transmitting the personalized broadcast stream to the user using a compressed video transport (Col. 8 lines 23-33). However, Hopper fails to explicitly disclose reducing the visual quality of the video stream includes using different compression parameters for different GUI display elements of a frame within the video stream, and such that standard GUI display elements of the frame, comprising one or more border and one or more menu, are compressed to a lower quality than unknown GUI display elements of the frame.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wang et al. (USPN 5,903,673) – Discloses a video signal encoder maximizes image quality without exceeding transmission bandwidth available to carry the encoded motion video signal by comparing encoded frames of the motion video signal to a desired size of frame.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chris Parry whose telephone number is (571) 272-8328. The examiner can normally be reached on Monday through Friday, 8:00 AM EST to 4:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/CP/



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